

Ministry of Energy

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October 12, 2012

Ms. Deborah Deller
Clerk, Legislative Assembly of Ontario
Legislative Bldg, Rm 104
Queen's Park
Toronto ON M7A 1A2

Dear Ms. Deller:

On Monday, September 24, 2012, the Minister of Energy tabled documents in response to the May 16, 2012 motion of the Standing Committee on Estimates related to the cancellation of the Mississauga and Oakville power plants:

The Ministry's search to identify and produce all documents responsive to the May 16, 2012 motion was conducted in good faith with every intention to comply with the Committee's motion. No responsive information or documents were deliberately withheld from the September 24 package. However, after the tabling of the documents I became aware of potential omissions in the Ministry's original search and I immediately initiated a review.

As a result of this review, it was determined that accessible documents of five former employees of the Ministry who were likely to be in possession of responsive documents were not searched. In addition, it was determined that using a comprehensive set of common search terms across the Ministry might yield additional responsive documents. I therefore concluded that a secondary search was necessary. As a result of this secondary search additional documents were identified and are attached to this letter.

It is regrettable that these additional documents were not identified as part of the Ministry's original search. I apologize to the Speaker and the members of the Assembly for this occurrence.

I would like to take this opportunity to address misunderstandings related to the documents tabled on September 24.

First, questions have been raised about the appearance of multiple blank pages. These pages appear as a result of a technical scanning issue, and are not related to the redaction of information. To provide the required documents in an accessible format, all documents were scanned and saved on a memory device. During this process, both sides of all single-sided documents were scanned. As a result, single-sided documents produce a page with text followed by a blank page.

Second, questions have also been raised about apparent redactions from certain documents in the September 24 release. In the interest of creating a complete disclosure package, early drafts of certain documents, such as slide decks, which were not yet complete and comprised of blank sections, were included in the release. The only redactions in the September 24 disclosure package and the documents attached to this letter pertain to information unrelated to the cancellation of the Mississauga or Oakville power plants that is unresponsive to the May 16 motion of the Committee. All redactions within the attached document package are clearly marked as unrelated material.

The documents attached to this letter and their disclosure does not constitute a waiver of privilege over the documents outside of the proceedings of the Legislative Assembly and its committees.

I would be pleased to appear before the Standing Committee on Finance and Economic Affairs to discuss the Ministry's search and answer any questions the Committee may have with respect to the records tabled with your office.

Sincerely;

A handwritten signature in dark ink, appearing to read 'Serge Imbrogno', with a stylized flourish at the end.

Serge Imbrogno,
Deputy Minister, Ministry of Energy

C: Valerie Quioc Lim, Clerk
Standing Committee on Finance and Economic Affairs
Standing Committee on Estimates